

REMARKS

This Amendment is being filed in response to the Final Office Action mailed October 17, 2008, which has been reviewed and carefully considered. By means of the present amendment, claims 4 and 9 have been amended to correct certain informalities. Accordingly, no new issues requiring a new search have been introduced and entry of the present amendment is respectfully requested.

Claims 1-10 remain in this application, where claims 1, 5 and 9 are independent.

In Final the Office Action, claims 1-3, 5 and 8-10 are rejected under 35 U.S.C §103(a) as allegedly unpatentable over U.S. Patent No. 7,165,071 (Fanning) in view of U.S. Patent No. 6,724,914 (Brundage). Further, claim 4 is rejected under 35 U.S.C §103(a) as allegedly unpatentable over Fanning in view of Brundage and U.S. Patent No. 6,681,029 (Rhoads). Claims 6-7 are rejected under 35 U.S.C §103(a) as allegedly unpatentable over Fanning in view of Brundage of U.S. Patent No. 5,649,013 (Stuckey). It is

respectfully submitted that claims 1-10 are patentable over Fanning, Brundage, Rhoads and Stuckey for at least the following reasons.

Fanning is directed to a search engine operates substantially in real time through instant updates by the servers on a file sharing network. As correctly note on page 4 of the Final Office Action, Fanning does not disclose or suggest "rewarding an operator of the client device for the redistributing act," as recited in independent claim 1, and similarly recited in independent claims 5 and 9, and as correctly noted by the Examiner on page 3 of the Office Action. Brundage is cited in an attempt to remedy the deficiencies in Fanning.

Brundage is directed to a method of progressively decoding a digital watermark on a distributed computing platform. As specifically recited on column 8, lines 3-9, "a music file ... is transferred to the user's personal library on the Internet in response to showing a watermarked CD or music promotion poster to the client's camera. Another example is an electronic coupon or ticket that is forwarded to the user's e-mail account in response

to showing a watermarked object to the client's camera. (Emphasis Added) Assuming, arguendo, that such music files or electronic coupons/tickets are rewards, such alleged rewards are in response to showing a watermarked CD, music promotion poster, or a watermarked object to the client's camera.

Page 4, second full paragraph of the Final Office Action even alleges that "a coupon [is] forwarded to the user account in response to download[ing] an object (showing a watermark)." (Emphasis Added)

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 5 and 9, amongst other patentable elements recites (illustrative emphasis provided):

redistributing by the client device the multimedia object over the peer-to-peer file sharing network; and
rewarding an operator of the client device for the redistributing act.

Rewarding an operator of the client device for the redistributing multimedia object by a client device that had downloaded the multimedia object from a distributing server is

nowhere disclosed or suggested in Fanning, Brundage, and combination thereof. Rather, any reward in Brundage is in response to showing or "download[ing] an object," as recited on column 8, lines 3-9 of Brundage, and alleged on Page 4, second full paragraph of the Final Office Action. Rhoads and Stuckey are cited to allegedly show other features and do not remedy the deficiencies in Fanning and Brundage.

Accordingly, it is respectfully requested that independent claims 1, 5 and 9 be allowed. In addition, it is respectfully submitted that claims 2-4, 6-8 and 10 should also be allowed at least based on their dependence from independent claims 1, 5 and 9 as well as their individually patentable elements.


In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

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the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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